Annual Report 2014/2015

SASKATCHEWAN HUMAN RIGHTS COMMISSION

A Modern Approach ■ A New Commission

VISION STATEMENT

To have all Saskatchewan residents understand human rights, value diversity, engage in the responsibilities of their citizenship, and respect the human rights of others.

MISSION STATEMENT

To champion human rights by promoting and protecting dignity, diversity, and equality within Saskatchewan.

GOALS

- Discourage and prevent discrimination.
- Implement restorative justice measures in all complaint resolution.
- Secure appropriate remedies for individuals who experience discrimination.
- Seek systemic remedies for individuals and groups who experience discrimination.
- Advance the understanding of human rights through research and education.
- Provide leadership on public policy and legislation related to human rights and responsibilities.

Letter of Transmittal

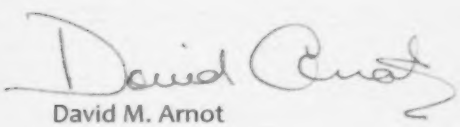
The Honourable Gordon Wyant, Q.C.
Minister of Justice and Attorney General
Legislative Building
Regina, Saskatchewan

Dear Minister Wyant,

I am pleased to deliver the 2014-2015 annual report of the Saskatchewan Human Rights Commission as required by Section 49 of *The Saskatchewan Human Rights Code*.

This report highlights the activities and successes of the Commission for the fiscal year beginning April 1, 2014 and concluding March 31, 2015.

Sincerely,



David M. Arnot
Chief Commissioner

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Message from the Chief Commissioner

The 2014-15 fiscal year marked two important milestones for the Saskatchewan Human Rights Commission. Once again, the number of citizens coming to the Commission for assistance increased substantially — from 369 complaints in the previous year to 419 complaints. As expected, the parties availed themselves of the Commission's mediation services to achieve the resolution outcomes that worked for them.

Second, 2014-15 marked the beginning of my second term as Chief Commissioner. The Commission underwent significant transition between 2009 and 2012. During that time, legislative changes were made to *The Saskatchewan Human Rights Code*, and an internal staff restructuring created a new and energized Commission. In all ways, 2014-15 was a positive test case for the Commission's Four Pillars Strategic Business Plan, the hard work and dedication of the Commission staff, and the pursuit of its legislated mandate.

The Saskatchewan Human Rights Commission has come a long way in meeting the demands of its legislated mandate and the trust placed upon us by the people of Saskatchewan. We have successfully addressed concerns with timeliness made by the Ombudsman in 2007. The Commission is eliminating delays in process that affect resolution in order to better address the concerns of all people that are party to a complaint.

Using restorative principles, the Commission works with both complainants and respondents, wherever possible, to achieve resolution. This work is paying off. There is no case backlog at the Commission. Formalized complaints are active immediately; existing complaints are actively pursued to closure.

Education and systemic advocacy require neither complaint nor legal action. Significant in-kind commitment and financial support from the Ministry of Justice, the Ministry of Education, and, externally, from the Law Foundation of Saskatchewan, support the Citizenship Education Program. Grade specific citizenship resources are being readied for every Kindergarten to Grade 12 classroom in Saskatchewan.

I am proud of the achievements made by the Commission during my first term, and I am thankful for the support I have received. As well, I am sincerely grateful to the staff who renew the Saskatchewan Human Rights Commission every day.

David M. Arnot
Chief Commissioner

2009-2014: Reviewing Five Years of Success

Modernizing the Saskatchewan Human Rights Commission leads to best practices, appropriate resolution, and citizenship focus

The success of the Saskatchewan Human Rights Commission is grounded in its new and collaborative approach to the provision of human rights service, the strength of new human rights legislation, and a new internal focus on cooperation and responsiveness. Reviewing the factors that led to the modernization of the Commission, and the improvement focussed efforts undertaken during the last five years, offers insight into the work of a new Commission.

Revitalizing the Commission began in 2009 with the appointment of a new Chief Commissioner, David Arnot, and a mandate to retain practices that worked, adopt practices that would enhance the Commission's mission, and create new means by which to achieve its mandate.

A new vision for the Commission required consultation with stakeholders, practitioners in the human rights field, and legislators. The result of those efforts led to the addition of best practices and new human rights legislation that was supported by the government and its legislative architects.

CATALYSTS FOR CHANGE

The need for a new vision was supported, indirectly, by public perception, and directly, through a review of how human rights work was being conducted in Saskatchewan.

On the one hand, there was broad social concern with how human rights issues were handled by government agencies across Canada. Like other commissions, the SHRC was the subject of widespread criticism, operating under legislation virtually untouched since its inception in the 1970s. The Commission's prosecutorial model was branded biased, cumbersome, and fundamentally unfair. Once in the system, parties could look forward to lengthy delays timed not in months, but in years.

A new vision for the Commission required consultation with stakeholders, practitioners in the human rights field, and legislators.

In 2007, the Ombudsman reported that the then current tribunal system was not providing effective communication about its work, public education about human rights, and guidance as to how businesses and individuals could conduct themselves in a way that met the objectives of the *Code*.

As well, the Ombudsman noted that greater focus on pre-complaint resolution, mediation, and finding alternatives to costly court-based legal processes, would better suit public needs. All of these goals were part of the overall call for significantly improving timeliness.

LEGISLATION AFFIRMS NEW DIRECTION

Restoring timeliness to the resolution of human rights concerns required new approaches and new legislation. *The Saskatchewan Human Rights Code* was amended in 2011. These changes helped the Commission operationalize new approaches and implement best practices tools. At that time, the Four Pillar Strategic Business Plan approach was put into place. The pillars are:

(1) legal remedies via the Court of Queen's Bench and/or directed mediation,

(2) appropriate case resolution via mediation,

(3) systemic advocacy, and

(4) public education with a focus on citizenship.

The Four Pillars plan includes the use of litigation, when appropriate, but not a "go to" reliance on legal/Court-based resolution. The phrase, "litigation when necessary, but not necessarily litigation" captures this belief. This approach preserves access to resolution through a traditional litigation model, via the Court of Queen's Bench, and with the benefit of recognized court proceedings and under the authority of a qualified and impartial judge.

APPROPRIATE CASE RESOLUTION

The other three pillars — mediation, systemic advocacy, and public education — are also about providing appropriate case resolution, but without involving a court. Being able to work in this way enables a multifaceted problem solving approach.

Problem solving cases in this way also allows for the use of restorative justice principles that help repair relationships and foster healthy communities. With an emphasis on participation and party-driven outcomes, unique and restorative outcomes are made possible. This has resulted in greater efficiency and a citizen focused agenda.

MEDIATION

The parties to a complaint are offered unbiased and no cost mediation services, on a "without prejudice" basis. Parties can tailor resolution to their needs and power imbalances are managed. There is no predetermined or expected outcome, save cooperative and civil exchange of information.

Moreover, mediation responds to the wishes of the parties who, in turn, agree on the terms of the resolution. In many cases, this includes nonmonetary terms a court could not order such as an apology, a letter of reference, or workplace policy changes, and better understanding.

In some cases, mediation resolutions will include financial damage awards. In other situations, a complainant has withdrawn his or her complaint once the parties have had opportunity to discuss the matter. The new process presents timely resolution and better opportunities to restore relationships. Now, more than 65% of all matters received in the fiscal year are resolved or closed within the same fiscal year.

These results are made possible, in part, because mediation is available throughout the resolution process. In cases where investigation is required, for example, evidence, facts, and the circumstances of the complaint are uncovered, which might cause the parties to revisit mediation as a means of resolution.

DIRECTED MEDIATION

In cases where pre-complaint resolution or mediation is not possible, where a full investigation has taken place, and where the body of evidence suggests that a complaint should proceed to hearing at the Queen's Bench, there is still an opportunity for resolution through directed mediation.

Directed mediation is a facilitated discussion between the complainant and the respondent that is conducted by the Commission. It takes place at the discretion of the Chief Commissioner, who reviews the findings of the investigation and determines that the complaint has sufficient merit to proceed to a hearing.

The Commission does not provide legal representation to any party but, in some cases, the Chief Commissioner may ask the Commission lawyer to participate in directed mediation. In such cases, the role of the Commission lawyer is to represent the Commission rather than any party.

The parties may also have a lawyer assist them with directed mediation. At the same time, the mediator works on behalf of the Commission to help the parties to the complaint arrive at a mutually agreeable settlement.

The complaint process is not open to the public. Settlement discussions in the directed mediation are confidential. If the parties are unable to reach a settlement agreement, then the complaint goes to the Court of Queen's Bench for a hearing. At this point, the process is open to the public.

Since 2012, 55 matters have been referred to hearing at Queen's Bench. However, all but two have resolved through directed mediation or pretrial conference. Of the two complaints that have been tried, both judgments were in favour of the complainant. Litigation was necessary in these two instances to protect the rights of the women involved (see page 14).

SYSTEMIC ADVOCACY

Systemic advocacy work has netted dramatic results. For example, in working cooperatively with the City of Regina, the Commission was able to facilitate widespread change for people with disabilities who use public transit. Some of these changes have included: elimination of the differential (higher) cab rate charged to clients with disabilities; an audible signals plan for street corner crossing, assisting people who are blind or those with visual impairments; increased number of accessible cabs; and increased low floor buses.

The City now has a way to meet with those most affected by these necessary changes. The stakeholder committee has a means by which to move forward in a cooperative manner. Money is spent on needed change, and not in defending litigious actions.

CITIZENSHIP EDUCATION

A significant addition to the Commission's public education work took place when the "Three Rs: Rights, Responsibilities, Respect" citizenship education program was established. This program challenges students to understand their rights, act on their responsibilities as citizens, and demonstrate respect for others. Grade 12 graduates will be engaged, empathetic, enlightened, and ethical citizens. Citizenship education:

- Gives every K-12 Saskatchewan classroom curriculum resource materials, designed by teachers, for teachers,
- Adds depth and context to existing preventative education programs, and
- Builds a culture of respect across communities.

NOTABLE OUTCOME: HATE SPEECH CASE

The Saskatchewan Human Rights Commission was instrumental in taking a case to the Supreme Court of Canada on hate speech in 2011. That case was the most important contribution the Saskatchewan Human Rights Commission has made to Canadian jurisprudence.

In February 2013, the Supreme Court rendered a concise and compelling judgment that offers the consummate definition of hate speech.

The judgment asserts that making comparisons between an individual or a group of individuals that are dehumanizing, or that are otherwise a cause of revulsion, can be indicators of hate speech. The judgment also said that people are free to say whatever you wish, as long as you do not cross the line and devolve into the use of hate.

Hate speech needs to be confronted and challenged at its very beginning. It is our responsibility as citizens in a free and democratic society to fight ignorance and malice that is born in hate and disrespect. Hate speech will be dealt with by the civil process that we have in *The Saskatchewan Human Rights Code*.

NOTABLE OUTCOME: BUSINESS OUTREACH

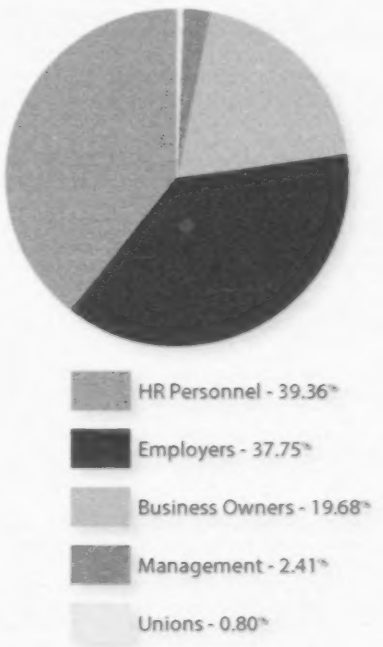
The Commission receives hundreds of inquiries per year from businesses, government agencies, service providers, and individuals. Given that around 85% of all complaints, on average, arise in the context of employment situations, businesses are a key stakeholder.

Since 2012, a designated intake consultant has fielded approximately 250 calls per year from business. Offering businesses the information they need to avoid *Code* infractions has become a key outreach for the Commission.

Intake consultants are now empowered to assist the parties with pre-complaint resolution. Near immediate resolution (e.g., two weeks or less; in some cases in only days) is now possible.

Successful outcomes may involve returns to work for dismissed employees, apologies, or accommodations. Pre-complaint resolutions involve greater understanding between the parties at a relatively minimal cost.

During the 2014-15 fiscal year, as an example, the dedicated intake consultant received 249 calls. Of these calls over 39% (98) came from human resources personnel, over 37% (94) came from employers, and nearly 20% (49) of all calls were placed by business owners.

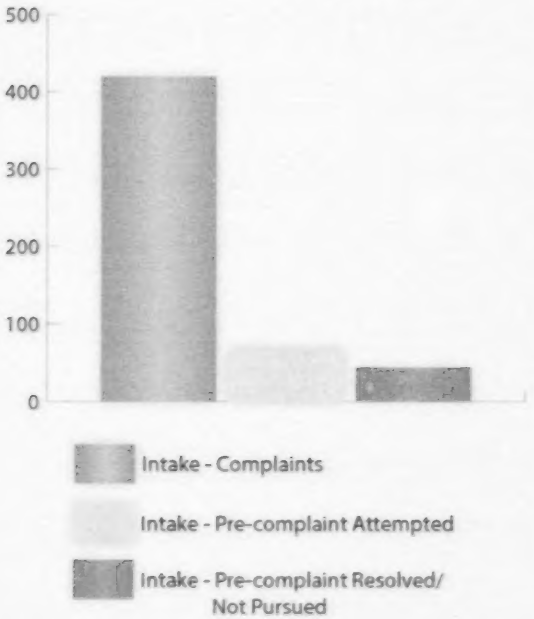


Focus on Best Practices: Intake

Filing a complaint is about more than seeing if a wrong can be made right; it's about ensuring that every person has a chance to be heard.

Whether delivered by phone, email, or in person to the office of the Saskatchewan Human Rights Commission, all complaints are directed to an intake officer. The intake process can be a first step towards formalizing a complaint, an opportunity for a complainant to receive information, or a business or organization to ask questions of a general nature.

In 2014-15, 10% of all matters were resolved using a pre-complaint intake process. As well, 141 cases, where the Commission had no jurisdiction or where there were no reasonable grounds for a complaint, did not go ahead. A total of 84 complaints were withdrawn or otherwise not pursued (see page 10 and 11 for more information about pre-complaint processes).



THE INTAKE PROCESS

In most situations, the intake process* is typically the same. Someone at reception will ask a few questions about the complaint in order to properly direct the inquiry. For example, the Commission has one intake consultant who specializes in talking with employers about their obligations to employees.

An intake consultant will listen to the complainant's side of the story and ask questions to help determine if there appears to be a violation of *The Saskatchewan Human Rights Code*. The intake consultant has to consider such things as whether the Commission has jurisdiction, whether the complaint is within a one year time frame, and what protected grounds may have been violated.

An intake consultant may refer the complaint to another government agency or service provider if their help would be more appropriate. In every instance, the intake consultant will do his/her best to ensure the information is accurate and is delivered as quickly as possible.

Sometimes this might mean the intake consultant will need to research issues related to the question or consult with the Commission's legal staff. While each intake consultant handles multiple inquiries, they work to respond to each issue as soon as possible.

In most cases, the intake consultant will require an Intake Questionnaire to be

* This summary offers a brief overview of the intake process and it may not be applicable in all situations.

completed. This can be done online or on paper. The questionnaire asks for basic contact information, the details of the complaint, and how the complainant feels the situation could best be resolved.

Once the Intake Questionnaire is received, a case file is opened and, in turn, the case file is assigned to an intake consultant. She or he serves as the contact at the initial stages of the complaint process and may ask for additional documentation to support the claims. For example, if discrimination based on a disability is central to the claim, the complainant may be asked for medical confirmation of the disability.

If the claim is for wrongful termination because of race, or another protected ground, the Commission may ask for pay stubs, a Record of Employment, and any other documentation regarding work performance (positive or negative).

After reviewing the statements and the documentation, the Director of Resolution will make a determination as to whether there are reasonable grounds to believe a violation of the *Code* has occurred. If no reasonable grounds can be determined, the complainant is notified by mail that the complaint will not be pursued. If the complainant believes there is additional information that would provide more evidence, he or she has two weeks to contact the Commission with this information. The new evidence will be reviewed and an assessment will be made as to whether to dismiss the complaint or to proceed.

If reasonable grounds to file a complaint exist, the intake consultant drafts a formal complaint based on the information provided. In specific language, and using a formal style, it outlines the particulars of what has happened and identifies the key points of discrimination.

It is important to ensure that the information contained in the complaint is accurate and to make changes before the complainant signs off on the complaint and the document is sent to the Respondent, the person who is alleged to be the source of the discrimination.

The intake consultant sends the signed, formalized complaint to the Respondent, advising them that they have two weeks to respond. Sometimes Respondents ask for additional time because they need to seek legal advice. Once the Commission receives a formal response from the Respondent, a copy of that response is sent to the complainant. The file is then turned over to the Director of Resolution for assignment to a staff mediator, and the process continues through mediation.

The complainant may withdraw a complaint at any stage of the process. If the complaint is withdrawn, the Commission will take the necessary steps to close the file.

Pre-complaint Resolution

An intake officer's quick response can often resolve concerns before a complaint is formalized.

As the point of first contact with a complainant, the intake officer is well-placed to see an opportunity for a timely resolution that may not require a complaint to be formalized. In these situations, the intake officer has the authority to see if he or she can create a "pre-complaint" resolution.

The pre-complaint process is for time-sensitive complaints that can usually be resolved fairly quickly, sometimes in just a few phone calls. It can, for example, put the complainant back on course with their employer without any significant negative consequences. Opening the door to communication through an intake consultant can facilitate these situations.

The intake consultant has a duty to remain neutral during the pre-complaint process – informing the two sides in an unbiased and impartial way sets the stage for a better conversation.

While an individual may have his or her own belief of what human rights are, or ought to be, it's about what is legislated in law.

As well, pre-complaint communication can serve to educate employers. Employers are often more aware of Labour Standards legislation than they are of human rights legislation. While an individual may have his or her own belief of what human rights are, or ought to be, it's about what is legislated in law. Describing the process and gravity of human rights violations is important in helping people understand the severity of cases that move on to the Court of Queen's Bench.

A defensive environment is never the right one for resolution. When the *Code* is clarified and explained, and some examples of reasonable accommodations are offered, employers generally do the right thing.

BACK AT WORK IN 24 HOURS

Jenna* called the Saskatchewan Human Rights Commission with an issue related to her return to work after her recovery from a knee injury. Despite the fact that her doctor had given her the green light to start working, she had been instructed by her employer to take another six months off of work. The intake consultant contacted the employer on her behalf after she agreed to pre-complaint resolution.

Once directed to head office, which was located out of province, the intake consultant gave some background on the Commission and explained the overall resolution process to the respondent, describing the pre-complaint process as an alternative to action. When the issue was described to the Regional Manager, the manager called the local division and arranged for Jenna to return to work the next day.

Pre-complaint Resolution: 24 Hours

WORKPLACE FINDS NEW ROLE FOR PREGNANT MOTHER

Melissa* contacted the Saskatchewan Human Rights Commission by phone with a complaint related to wrongful dismissal. Her doctor had become concerned with her work as a welder, worried that the chemical fumes from the welding process may put her pregnancy at risk. He provided her with a medical note requesting accommodation.

When she passed on the doctor's note to her supervisor at work, she suggested that she could take on an administration position or move to the mechanics shop. The supervisor's reaction was not positive – he responded that they didn't have any alternative work to offer her so accommodation would not be possible. He then pressured her to sign a resignation of employment letter.

As Melissa resided in the city, the intake consultant requested that Melissa meet with him face-to-face to ensure that he fully understood her side of the story before he moved any further with her case. At this meeting, they discussed the alternative pre-complaint process, and the intake consultant assured her that if resolution wasn't achieved in this stage, and if there remained grounds for a complaint, she was still free to pursue the formal process.

When the intake consultant spoke with the supervisor, he responded that Melissa didn't have the qualifications to work as a mechanic and that, as they already had enough administrative workers, there was no alternate position available for her. The mediator asked to be referred to the head of the company, who reiterated that this was a welding company, and that he needed his employees to be able to work on the welding floor.

The intake consultant outlined the *Code*'s principle of duty of reasonable accommodation, explaining that employers have a legal duty to make reasonable efforts to accommodate to the point of undue hardship. He also mentioned that Melissa had suggested a few reasonable and temporary alternative positions that might be suitable and arranged for the head of the company to speak with her directly.

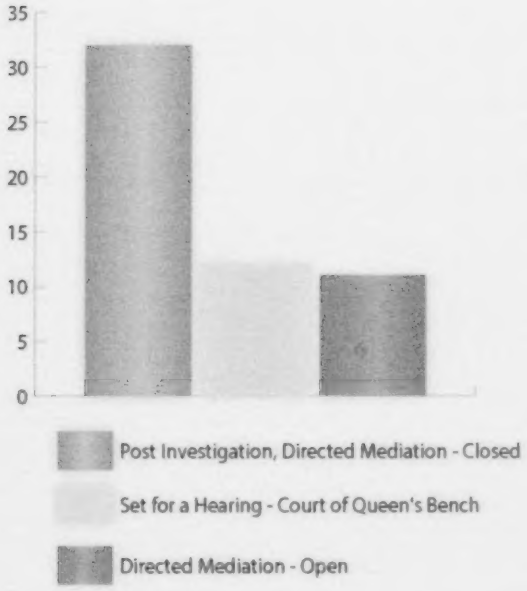
Upon follow-up, Melissa informed the intake consultant that she had returned to work in an office position.

Pre-complaint Resolution: 7 Days

Pillar 1 - Litigation

Although used less frequently in the Commission's new model, litigation is an effective means to achieve appropriate resolution.

For the most part, employers, business owners and other respondents want to achieve constructive and restorative outcomes through pre-complaint resolution or mediation. However, in cases where the complaint is not resolved through mediation, or where the respondent is not prepared to participate in mediation, the Commission will pursue investigation, a determination of merit will be made by the Chief Commissioner, and legal remedies through the courts will be pursued if appropriate.



In the 2014-15 fiscal year, 32 files were closed following investigation and/or through directed mediation, 12 were set for a hearing by the Court of Queen's Bench, and 11 matters are currently in directed mediation.

MENTAL HEALTH ISSUES ACCOMMODATED/ WRONGFUL DISMISSAL REVERSED

Sarah* filed a complaint with the Saskatchewan Human Rights Commission alleging that she had been discriminated against on the basis of mental health issues that had led to the termination of her employment. Her employer declined the Commission's offer of the pre-complaint resolution process and chose to proceed with the formal process. As a result, it was assigned to investigation, and then to a Directed Mediation.

In the Commission's Directed Mediation process, both parties are obligated to participate. A third-party mediator from outside the Commission is assigned to the file. The Commission's role in this process is to advocate for the official position in relation to addressing the complaint, together with input from the Complainant as to how it might be resolved.

Directed Mediation opened the door for Sarah to be honest about the struggles she had been facing that had resulted in issues with her work performance. Likewise, her employer was able to share the difficulties that were encountered as a result of the work performance issues.

Through engagement in pre-mediation session discussions with the respondent counsel and a Directed Mediation Session, the parties came up with two alternative resolutions:

A) Sarah could receive $10,000 for injury to dignity, or
B) she could return to work with appropriate accommodations.

Ultimately, Sarah was reinstated in her position with appropriate return to work accommodations. Both sides were validated in the process and, as a result, the resolution was owned by both parties.

SETTLEMENT FOR TERMINATION DURING PREGNANCY RELATED MEDICAL LEAVE

Helen* was working for the Saskatchewan branch of a national organization when she required time away from work because of a pregnancy related illness. She called in sick and provided her employer with a doctor's note indicating that she was going through a high-risk pregnancy.

The employer claimed Helen was fired for cause as a result of an argument with a co-worker. Investigation found this claim was not supported.

The doctor advised that Helen needed time off due to stress and to manage the risk to her baby. Exacerbating Helen's condition was the news that her mother had recently been diagnosed with a form of cancer that required surgery.

Shortly after the employer learned of her need for a medical leave, Helen was asked to come for a meeting. Unable to come in for the meeting, she was fired by e-mail.

When Helen came to the Commission she believed that her employer had violated Section 16 (1) of *The Saskatchewan Human Rights Code* by discriminating against her on the basis of gender. During directed mediation, the employer claimed Helen was fired for cause as a result of an argument with a co-worker. Investigation had found this claim was not supported.

At a pre-hearing conference before a Justice of the Court of Queen's Bench, the complainant received an $11,000.00 settlement.

FOLLOWING BACK TO WORK RESTRICTIONS KEY TO AVOIDING REINJURY, COMPLAINT

When Robert* injured his arm lifting heavy objects, his employer initially accommodated his return to work program that included lifting restrictions. He was tasked with manageable light duties involving computer work.

Although aware of the return to work limitations, Robert's supervisor repeatedly instructed him to lift items beyond his restrictions. When Robert reinjured himself, he was reprimanded with a safety violation and his employment was terminated.

During the investigation, the employer initially claimed compliance with the medical restrictions and that Robert's injury was a result of his own actions. However, further investigation, and the corroborating statements of Robert's co-worker, confirmed that the supervisor verbally berated him, swore at him, and directed Robert to ignore the restrictions. The complaint was settled by:

(1) a $10,000.00 settlement, and
(2) $5,000.00 for counselling, medical treatment, physiotherapy, psychological counselling and medication.

**Indicates that the names of the party or parties have been changed.*

In the News - Sexual Harassment

$44,900 Queen's Bench Judgment Against Hotel Owner-Manager for Sexual Harassment and Contravening the Code

On July 4, 2014, the Court of Queen's Bench found that Northwoods Inn & Suites owner-manager John Pontes sexually harassed a female hotel clerk contrary to sections 16 and 19 of *The Saskatchewan Human Rights Code*.

For gender-based discrimination and sexual harassment Pontes must pay the complainant the maximum possible award under the *Code* of $10,000 for injury to feelings, dignity, and self-respect. He must also pay $31,900 for lost earnings. Costs of $3,000 for vexatious, frivolous, and abusive conduct in the court proceedings were also ordered.

Recognizing the quasi-constitutional nature of human rights law, the Court observed that significant harm to the woman's human rights occurred because of sexual harassment.

Sexual harassment is a form of discrimination that's against the law. It is unwarranted sexual conduct that interferes with rights guaranteed by the *Code*. Sexual harassment is not allowed in the workplace, at schools, colleges or universities, or in the provision of a public service.

The Court observed that significant harm to the woman's rights occurred because of sexual harassment.

Sexual harassment may be verbal, physical, or visual. It may be one incident or a series of incidents. It is always unsolicited and unwelcome behaviour, and can take many forms, including but not limited to:

- sexual remarks
- "jokes" with sexual overtones
- a sexual advance or invitation
- displaying offensive pictures or photographs
- threats
- leering
- physical contact like touching, patting, pinching or brushing against
- sexual and physical assault.

For the Commission, this case creates a significant legal precedent for respondents who disregard *The Saskatchewan Human Rights Code*. The Commission had previously received, and litigated, complaints against Mr. Pontes. In this case, the Court found

> "To the extent a person can be considered a 'repeat offender', this necessarily impacts upon the determination whether there has been wilful and reckless contravention of the Code... He has been previously ordered to cease and desist. He has previously been sanctioned in costs for unreasonable and vexatious behaviour. He has, in past proceedings, been ordered to post anti-discrimination policies at Northwoods Inn & Suites. "

The judgment is financially notable as the damages provided by the *Code* far exceed usual damages for wrongful dismissal. This clarifies that egregious human rights violations will not be tolerated in the workplace.

Focus on the Code: Gender Identity

Addition to the Code clarifies the rights of transgender people, aligns with evolving human rights legislation in Canada

On December 8, 2014, the Government of Saskatchewan amended *The Saskatchewan Human Rights Code* to include gender identity as a prohibited ground. Gender identity is connected to an individual's inherent sense of self and particularly the sense of being male or female. A person's gender identity is fundamentally different from, and does not determine, their sexual orientation that is also protected under the *Code*.

While the addition of gender identity as a prohibited ground applies to the rights of all people in Saskatchewan, this provision clarifies the rights of transgender people. Transgender people are uncomfortable with, and disagree with, in whole or in part, their birth-assigned gender identities. This may include people who identify as transsexual and people who describe themselves as being on a gender continuum rather than identifying with "male" or "female." Transgender people may or may not undergo hormone treatment and/or surgical procedures.

Supporters of the transgender community had been asking for changes to the *Code* that would clarify the rights of transgender individuals. Research indicates that transgender people often face discrimination in employment, housing, and many other areas of everyday life. As well, there is an elevated risk of suicide, assault, and other forms of violence.

Advocates state that their work often involves the provision of frontline support to transgender people in both employment and business situations. Adding gender identity to the *Code* provides a starting point for conversations about accommodations in workplace and in service provision.

This change to the *Code* clarifies that transgender people are protected against discrimination by *The Saskatchewan Human Rights Code*.

Since the change to the *Code*, no cases have been heard by the Court in Saskatchewan, although the Commission has accepted and resolved human rights complaints based on gender identity. The Commission has also worked with the media, community groups, and stakeholders to assert the importance of gender identity under the *Code*. Exploring opportunities for education, and fostering mutual understanding, are a part of appropriate case resolution under the Commission's refocused mandate.

Pillar 2 - Mediation

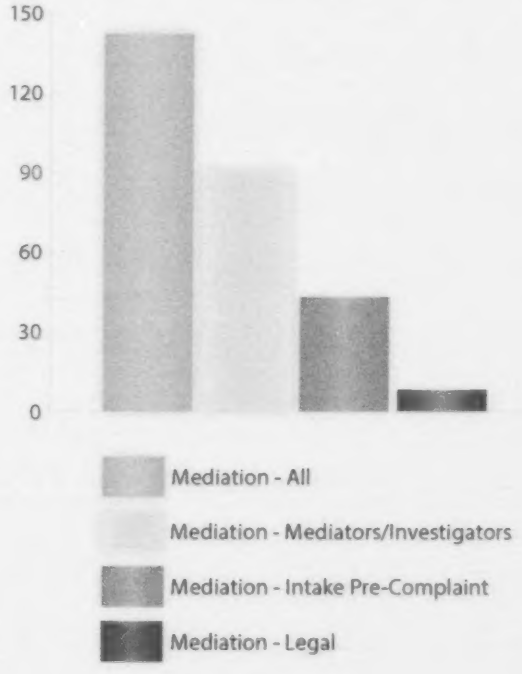
Over 80% of complaints originate in the workplaces;

mediation is increasingly more important in business and employment settings

The Saskatchewan Human Rights Commission has a legislated mandate to mediate and resolve complaints of discrimination.

When both parties are willing to participate in the mediation process, complainants and respondents are in a position to move forward rather than prolong the matter. Timely mediation is an effective tool in resolving complaints. In all cases, the Commission looks for appropriate case resolution.

In 2014-15, 142 formalized complaints were settled through the use of mediation. This includes 91 files resolved by mediators and investigators, 43 files resolved by intake pre-complaint, and 8 files resolved by mediation at legal.



KITCHEN ACCOMMODATION

Kathy* contacted Commission intake with housing problems. The owners of her apartment had undertaken renovations and installed standardized replacement counters and cupboards that weren't able to accommodate her disability.

Originally, Kathy's apartment building was an accessible building. She had assumed that the accessible features would be maintained during renovation, but they were not.

In this situation, there didn't seem to be evidence of intent to discriminate. The owners simply didn't understand the accommodation or realize that generic installations wouldn't be practical for Kathy and many other people with disabilities.

Kathy agreed to the pre-complaint process. The Commission facilitator set up a conference with the construction company, the building owners, Kathy and her supporters. The complainant and respondent were able to work out a solution together in less than two hours. They achieved the following resolution:

1) The owners agreed to modify Kathy's apartment so that it was accessible.

2) The owners adopted a pre-renovation policy of consultation with occupants.

YOUTH EMPLOYEE FACES SYSTEMIC DISCRIMINATION

Jane's* mother and grandmother approached the Commission on her behalf, as she was a minor who wished to present a case of wrongful dismissal on the basis of race. Jane had been hired by a person left in charge of a local store in a small community while the store manager was away. Upon his return, the store manager immediately terminated Jane's employment.

At 14 years of age, this was Jane's first job. She was especially excited to have been given the opportunity to work at the local store.

After some discussion, the parties agreed to participate in the Commission's mediation process. As her support at a mediation session, Jane's mother and grandmother alleged that the community had a history of racial tension. They shared stories of discrimination and mistreatment in the community, and said they felt Jane had been an innocent victim of the tension.

The case portrayed the need to identify both the conflict and dispute aspects of the complaint because Jane had become a victim of a history of discrimination. Her experience highlighted the need for systemic change, and a resolution beyond simple case remediation for the lost wages she had incurred.

At the Mediation Session, everyone was able to share their experiences in the community relating to the Complaint. The Commission achieved the following positive outcomes related to this case:

1) Jane was compensated for lost wages and damages for injury to dignity.

2) The store agreed to hold further consultative meetings to identify and address perceptions of racism in the community, thus allowing the resolution of Jane's complaint to also be of systemic value in addressing racism issues in the community.

**Indicates that the names of the party or parties have been changed.*

In the News - Accessibility

A mediated agreement improves accessibility at Regina sports, arts, and entertainment facility

People with disabilities attending events at Evraz Place are likely to notice several accessibility-related improvements that have been made possible by a collaborative settlement agreement. On February 25, Mr. Mark Allan, President and CEO of Evraz Place, and Mr. Jamie McKenzie signed off on several improvements to the Evraz Place facility. As part of the agreement, changes have been, or will be made in the areas of accessible seating, washroom facilities, and other guest services.

In January, Mr. McKenzie contacted the Commission with concerns about access and accommodation issues at Evraz Place. "I had some accessibility concerns about the Brandt Centre, about the washrooms and the seating, and now these and other access issues are being worked on," said Mr. Jamie McKenzie. "The people at Evraz Place are so great to work with."

The Commission contacted Evraz Place about these concerns and quickly started a mediation process with the goal of resolving the identified concerns in a way that would be amenable to both parties. In a matter of weeks, solutions were created and an implementation plan has already begun. "We are committed to making Evraz Place available and accessible to all as we redevelop our facilities and improve our practices," said Mr. Mark Allan, President and CEO of Evraz Place.

The significant outcomes we see in this situation are positive and restorative for everyone involved. In this case, there are also meaningful and systemic benefits for all people with disabilities who attend events at Evraz Place.

Focus on Employment: Duty to Accommodate

Resolution is about communication, trying to work with others. In this case, a simple low-cost accommodation would have made a difference.

Miranda* applied for a job as a cashier at a large store. While she was contacted for an interview, she wasn't called for the job. She decided to visit the store to speak with the Manager and ask why she was denied the opportunity. Miranda explained that although she had a disability, she was able to do most jobs, and didn't anticipate any difficulties performing the tasks associated with the posted cashier position.

When the Manager asked how long she was able to stand, Miranda admitted that standing for over an hour would be difficult for her. The Manager responded that as shifts were 4-5 hours long and the space could not accommodate a stool, the store couldn't hire her as cashier.

Under *The Saskatchewan Human Rights Code*, employers, service providers and others have a duty to accommodate – they are required to make reasonable efforts to assist people who could otherwise be denied opportunities because of gender, disability, religion, or other prohibited grounds of discrimination. Accommodation is required unless it would cause an undue hardship on the employer.

The following resolution was achieved:

1) Miranda received $2,000 for injury to dignity.

2) The respondent organization provided Miranda with a Letter of Apology.

3) The respondent organization recognized that they needed to do more work on accommodation and agreed to follow up with Managers on accommodation.

Resolution during the Investigation Stage:
6 months

Pillar 3 - Systemic Advocacy

Systemic advocacy is intended to address systemic discrimination — working collaboratively with stakeholders helps everyone

Throughout the last fiscal year, the Saskatchewan Human Rights Commission worked with stakeholder organizations to address rights-related issues that affect groups of people.

In some cases, these concerns have implications for people across the province and, in other cases, these issues affect people in a specific municipality. The goal, however, is to leverage knowledge and experience gained in one situation for the benefit of others.

For the most part, the Commission's systemic advocacy has assisted people with disabilities. Within Saskatchewan, people with disabilities have also been identified as an equity group (see page 33).

ELECTIONS

In response to concerns raised by people with disabilities regarding voting accommodations in the province, the Commission met with representatives of Elections Saskatchewan to determine if systemic solutions were possible. The use of new voting technologies, the accessibility of polling stations, voter independence, and identification requirements were discussed.

A number of changes have been adopted in the latest amendments to the *Election Act*. These include improvements to home voting mechanisms and allowing attendants or family and friends to assist people with disabilities during the voting process. The Commission continues to monitor complaints related to accessibility and voter independence.

PROVINCIAL DISABILITY STRATEGY

The Commission was involved in many aspects of the Province's Disability Strategy. This includes initial public consultations in spring 2014, when Commission representatives attended two public consultations and sat on three of the Priority Working Groups (community inclusion, transportation, and justice).

The Commission attended a joint ministerial team and Citizen Consultation Team meeting as an observer, and was able to provide input and comment on the recommendations under discussion.

ACCESSIBLE PEDESTRIAN SIGNALS

Accessible Pedestrian Signals (APS) are an ongoing priority in both Saskatoon and Regina. These signals provide a means for people with disabilities, and in particular those with visual impairments, to judge when it is safe to cross an intersection.

In Saskatoon, City representatives have agreed to retrofit a minimum of 6 signals each year until the City is completely APS compliant. New traffic signal installations that direct pedestrians will automatically be fitted with APS.

Annual consultations with the disability community are designed to ensure the program is meeting safety needs. In the 2014/ 2015 fiscal year there were over 100 APS signals functioning in the city, and additional installations are planned in 2015/16.

A commitment was made by the City of Regina administrators to retrofit 10 APS signals within the 2014 fiscal year. All installations of new traffic/pedestrian signals will include APS features. The Commission is working with the City to finalize the details of the program. In the meantime, at least 6 retrofits will occur every year as well as the new signal commitment.

TRANSPORTATION

The Accessible Transportation and Systemic Advisory Committee (ATSAC) held meetings in Regina to discuss the transportation initiatives outlined in its May 2014 report. A response was then prepared by the City of Regina in late summer and a follow up meeting to allow the group to hear the formal response was held on October 23, 2014.

At present:

- The City of Regina has achieved 75-80% compliance with the recommendations from the committee.
- All transit and paratransit staff now receive sensitivity, securement (i.e., secure anchoring of wheelchairs), and customer service training.
- The conventional transit bus fleet is entirely low floor accessible.
- A third party complaint procedure has now been developed allowing stakeholder groups to support individuals in the reporting incidents.
- A securement monitoring service has been developed.

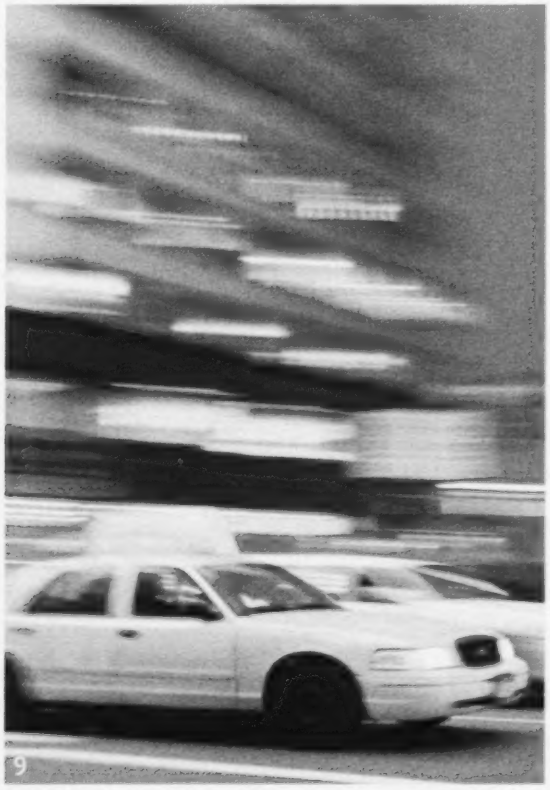
Commission staff assisted in the development of a taxicab bylaw relating to persons with disabilities. As a result of this work, there is now:

- A vehicle age limit on accessible vehicles within the taxi fleet,
- Elimination of the differential drop rate,
- Elimination of the additional charge for service animals,
- 24/7 service for accessible taxi cabs, and
- An increase in the number of accessible taxis from 4 to 10.

In Saskatoon, the Commission continues to monitor the agreement reached with the Saskatoon Transit department in relation to audible bus announcements. The original commitment was to have the system fully operational by June 2014; however, with the current challenges within this City department, this has been delayed slightly.

In the News - Service Animals

Stakeholder discussions lead to significant improvements in accessible transportation in Regina.



Individuals with disabilities and their service animals in Saskatoon are likely to experience improved responsiveness from taxi drivers thanks to a mediated resolution aimed at education, disability awareness training, and new policies.

When a customer reported having difficulties with booking a cab for himself and his service animal on a cold November day, the parties agreed to look beyond the allegations and, instead, focus on education.

This included making drivers aware that people who use service animals require the animal to assist with symptoms or limitations arising from their disabilities.

While service animals have assisted people with disabilities for some time, educating service providers and the public is increasingly important. In addition to the traditional kinds of assistance service animals can provide, such as helping people who are blind, there are a wide range of other disabilities for which service animals provide assistance, including mobility and psychiatric disabilities.

From a business point of view, it was important to clarify that discrimination against people with disabilities, and in this case with the provision of transportation services for an individual with a service animal, is prohibited in accordance with Section 12 of *The Saskatchewan Human Rights Code*.

The taxi company responded by making notable systemic improvements that will benefit all people with disabilities. These best practices were shared with all cab companies in Saskatoon.

The Commission's resolution process encourages parties to a complaint to address inequity by examining policy and practice, in addition to resolving the details of the complaint. Unique, and often restorative, outcomes are the hallmarks of appropriate case resolution.

In Photos - Guest Speakers / Seminar Series

The Honourable Adrienne Clarkson,
October 20, 2014

Israel's Ambassador to Canada,
His Excellency Rafael Barak,
October 17, 2014

Mr. Lal Kahn Malik,
September 30, 2014

Mr. John Ralston Saul,
November 3, 2014

Pillar 4 - Public Education

Promoting responsibilty, rights, and respect for all citizens; working with educators, schools, and organizations to champion change

Requests for human rights perspectives on the historical and contemporary issues that affect our Indigenous communities, demands for a human rights analysis of the new diversity in our society, and calls from employers and businesses for practical information are examples of the Commission's public education outreach.

Given this, the aim of the Commission's education mandate, which is to have all people recognize and respect the rights of others, has required a multipronged approach. At the centre of all of the Commission's education programs is the importance of responsible and respectful citizenship. Specifically, there is a duty to others at the core of our Canadian citizenship. There is also a benefit to everyone that is, ultimately, expressed in a sense of belonging.

As Adrienne Clarkson wrote in *Belonging: The Paradox of Citizenship*:

"A citizen who feels that she belongs has a true sense of equality that is not based on obligation or need but on generosity and the capacity to see and value the other" (p. 72).

CITIZENSHIP EDUCATION FOR SCHOOLS

For children, the Kindergarten to Grade 12 school system is the starting point for learning about, and learning to value, each other. Learning to respect the interests, values, and beliefs of others is a requirement of their course work, and it's also a requirement of citizenship.

The citizenship education project provides classroom ready, teacher friendly, resources for all Kindergarten to Grade 12 schools in Saskatchewan. Throughout the 2014-15 school

year, the Kindergarten to Grade 6 Grade-Specific Teacher Resources were completed, the Grades 7 through 9 materials were field tested, and the Grades 10 through 12 materials were drafted and vetted by teachers.

Work on an online webinar, a resource website, and additional resource materials is progressing as planned. Internet and electronic resources are an important pathway for teachers to gain access to the citizenship resources, and for those who may not be able to attend the face-to-face workshop offerings.

The Law Foundation of Saskatchewan's ongoing support of the citizenship education project will assist teachers in classrooms, the front lines of citizenship formation, with these challenges.

13

Advancing the awareness of the Citizenship Education Project to educators and other key stakeholders was identified as, and remains, an ongoing priority. Meetings with government stakeholders, presentations at conferences, and working directly with schools have generated interest in citizenship education.

Events with elementary and secondary schools, as well as with the University of Saskatchewan have benefitted from a partnership with, Think Good. Do Good., a community based organization that promotes acts of good citizenship. This relationship has produced a number of real world examples of community engagement for schools, teachers, and students to follow.

ADULT EDUCATION

Education is also required outside the K-12 school system. Business leader education is, for example, central to the Commission's education strategy. The Commission continues to promote the position that it is not a best practice for businesses and employers to make unforced errors. Rather, it is best practice to prevent *Code* infractions.

To this end, the Commission has made an outreach to the Canadian Federation of Independent Business, the Chambers of Commerce of Saskatoon, Regina, and Prince Albert, and also to key business associations. The Commission piloted an education program to give business the tools to do business without incurring complaints. The Commission has plans to partner with business to increase its relevancy in the business community without losing impartiality.

The Commission is carrying out general public education of human rights through targeted media releases, and by participating in legal training through SKLESI, and the Canadian Bar Association. Outreach and editorial board meetings with media have clarified the Commission's new path and process. Interest in the work of the Commission continues to grow in both the traditional and online media. The Commission continues to focus and add to the content on its website in recognition of the importance of emerging issues.

In the News - Holocaust Education

Prince Albert and area high school students learn about the Holocaust, being responsible citizens, and the importance of our democracy

On September 17, 2014, an estimated 3,000 Prince Albert high school students attended inspiring presentations from Mr. Robert "Robbie" Waisman, Holocaust survivor and humanitarian.

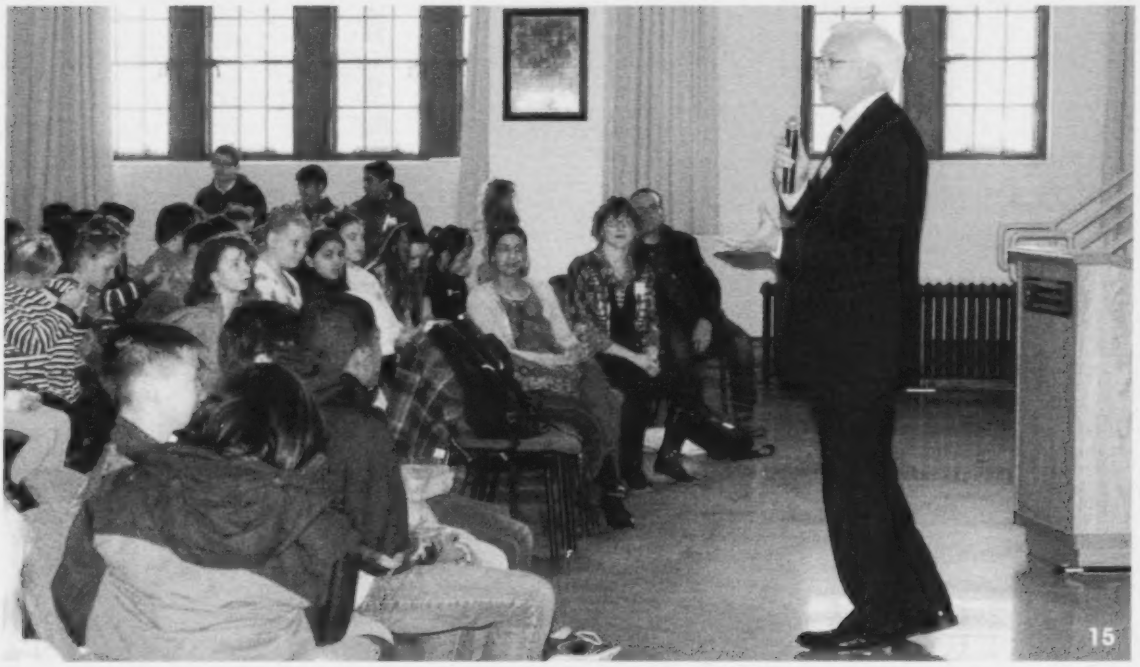
Mr. Waisman described his life as a child in Poland at the beginning of World War II, being sent to the Buchenwald concentration camp, and losing six members of his immediate family to the Holocaust. "I have duty and obligation to speak for those that are not here, and to inoculate, particularly young people, against hatred and discrimination; and when I do this I honour the 1.5 million that are not here," he said. It is estimated that 1.5 million children were murdered during the Holocaust.

In drawing from his highly personal experience, it is his aim to, "tell young people the importance of their lives and how lucky they are here in Canada because this is paradise."

When asked by a student what he would say to Adolf Hitler, if he could address him today, Mr. Waisman responded, "I would say, 'Mr. Hitler, I won.'"

The Saskatchewan Human Rights Commission partnered with the Prince Albert Catholic School Division, the Saskatchewan Rivers School Division, Congregation Agudas Israel, and Think Good. Do Good. to support these events.

In the News - Citizenship Education



Elementary school students convene at the University of Saskatchewan to share anti-racism messages on campus

On March 20, 2015, children from four Saskatoon elementary schools trekked to the University of Saskatchewan campus to bring messages of harmony and respect to their post-secondary peers.

With the leadership of Think Good. Do Good., students from Brunskill School, Cardinal Leger School, Pope John Paul II School, and the Saskatoon Misbah School demonstrated individual and group responsibility for promoting human rights and denouncing discrimination.

This event supported the United Nations International Day for the Elimination of Racial Discrimination. The theme for this year's annual March 21 UN day is, "Learning from historical tragedies to combat racial discrimination today."

To demonstrate their commitment, the elementary school students gave every U of S student they spoke with a "Think Good. Do Good." button. The university students were also challenged with the question, "Did you do something good today?"

At the conclusion of the event, Chief Commissioner David Arnot challenged the students from the four schools to continue to "do good." Chief Commissioner Arnot stated, "I am proud of you for the leadership you have shown today at the University of Saskatchewan, and I challenge you to continue to be leaders at your schools."

Children, the *Code*, and Mediation

Recognizing that there might be some challenges, inconvenience is not considered an undue hardship.

Melanie Brook's* son Jeremy has a developmental disorder. After one term in a group music class, the owner of the studio denied his entrance into the new term, offering the option of private music lessons instead. Jeremy had the tendency to yell, fidget and sing out of turn, interrupting the flow of the class. The owner had found Jeremy's presence to be overly disruptive to other students.

In this case, Ms. Brook wasn't looking for money. She wanted the approach to accommodation clearly laid out. Ms. Brook felt the owner had not done everything she could to accommodate her child. The owner felt it was difficult to manage all of the requirements for his accommodation like learning effective communication cues and other tools.

Under *The Saskatchewan Human Rights Code*, employers, service providers and others have a duty to accommodate – they are required to make reasonable efforts to assist people who could otherwise be denied opportunities because of gender, disability, religion, or other illegal grounds of discrimination. The employer, service provider or other is required to accommodate to the point of undue hardship.

The Commission was able to help negotiate three positive outcomes related to this case:

1) For injury to dignity, the owner agreed to donate $1500 to an organization that assists people with disabilities.
2) The owner agreed to attend an educational seminar on the duty to accommodate.
3) Working with the Commission, the owner developed and implemented anti-discrimination policy and procedures.

Resolution during the Investigation Stage:
6 months

Seniors, the *Code*, and Mediation

Organizations that help people with disabilities find housing are still required to follow the Code.

After applying to rent an apartment in a specialized housing complex, Sally* was told that the complex was looking for younger residents and that she was too old. The promotional material for the complex was peppered with words like "young" and "younger." There were several vacancies, so Sally submitted another application and was denied again. She approached the Commission with a complaint related to age discrimination.

Under Section 48 of *The Saskatchewan Human Rights Code*, organizations may develop reasonable and justifiable measures designed to prevent or reduce disadvantages that are suffered by any group based on one or more of the prohibited grounds laid out in the *Code*. The organization must ensure that the measure is likely to achieve or does achieve its objective.

In this case, the complex wanted to target a specific group of the population – youth in poverty with a disability – as they felt this population was underserved by the existing market. However, the complex had previously made exceptions to its own policies and not made the units available exclusively to young people. Their decision to enforce the policy, in this case, seemed arbitrary and potentially discriminatory.

In this case, the respondent is providing a service to people with disabilities, which is certainly positive, but that doesn't mean they are exempt from the *Code* – they cannot selectively provide housing to people on the basis of age.

The Commission was able to negotiate three positive outcomes related to this case:

1) Sally received $2000 for injury to dignity.
2) The housing complex agreed to assign her the next available suite.
3) The housing complex agreed to work with the Commission on *Section 48: Reasonable and Justifiable Measures* to ensure that their policies and practices didn't violate the *Code*.

Resolution during the Mediation Stage:
29 days

Stakeholder Collaboration & Engagement

Outreach to business, partnerships with multicultural and community organizations highlights of engagement activity.

Working collaboratively with external partners and stakeholders is an effective way to increase awareness of human rights issues.

One new partnership is with the University of Saskatchewan, College of Law. This year, Commission mediators were invited to speak to law students about mediation technique. As well, staff involved in systemic advocacy work presented to students learning about multi-party negotiation. The partnership with the College also included a pilot project for two summer students. Law professors worked with the Commission to offer students an experiential learning course. The students observed our mediators in action and they were encouraged to critique the process. An expansion of the program, including a "for credit" class have been discussed.

As part of a proactive approach to preventing discrimination, the Commission committed to distilling inquiry and complaint trends to create a more comprehensive environmental scan. As many of the trends involve provincial government ministries, the Commission's Environmental Scan document was shared with the Deputy Ministers in May 2014.

The Commission also identified the *Saskatchewan Plan for Growth: Vision 2020 And Beyond*, and the ministerial strategic plans, as key resource documents. The Commission worked with officials in several ministries on strategic initiatives and to find solutions to emerging concerns. This includes work with the Ministry of Labour, Elections Saskatchewan, the Ministry of Social Services, and the Ministry of Health.

As complainants sometimes lodge complaints with Occupational Health & Safety, and Employment (Labour) Standards, at the same time, there is often overlap and frustration. Interorganizational education that clarified jurisdiction, mandate, and areas of cooperation took place in September.

This partnership is already generating results. Commission intake staff, and Employment Standards intake staff, took the initiative to assist a pregnant welder who wanted to file complaints at both offices. The intake teams put together a pre-complaint process that resulted in a workplace accommodation and, of equal importance, reversed the termination of employment. Together, the Commission and Labour Standards teams resolved this issue within a week (for more, see pages 10 & 11).

Working collaboratively with external partners and stakeholders is an effective way to increase awareness of human rights issues.

In June, Commission staff met again with the Deputy Chief Electoral Officer. The Commission received several complaints related to the physical accessibility of polling stations, the need for disability related accommodations, and for sensitivity training. The Election Saskatchewan's strategic plan now includes increased accessibility measures.

Announced in December, the province's *Mental Health and Addictions Action Plan* acknowledges that, "At an international level, increasing awareness and responsiveness to mental health issues is seen as a human rights priority by the World Health Organization" (page 56). The Commission highlighted the benefits of citizenship education to the report's author, Dr. Fern Stockdale Winder. She noted that public awareness, individual resilience, and the well-being of all communities is improved through education that fosters respect.

The Commission also met with Indigenous and other stakeholders to discuss the relationship between Aboriginal rights, treaty rights, and human rights. Related to this outreach, and to the Chief Commissioner's work with the Canadian Association of Statutory Human Rights Agencies (CASHRA), it is expected that human rights agencies across Canada will be identified as having a role to play in the forthcoming national report of the Truth and Reconciliation Commission.

The Commission continued its work with the Ministry of Social Services. During the development of the Saskatchewan Assured Income for Disability Program (SAID), Commission staff worked closely with ministry staff, making process recommendations, assisting with development of the application forms, and consulting as required. This year the Commission contributed to the Saskatchewan Disability Strategy. Supporting the rights of people with disabilities through public education and awareness remains a priority.

By the Numbers

Gender identity added to *The Saskatchewan Human Rights Code.*

2014

Number of complaints settled by mediation in 2014 / 2015.

142

Number of complaints resolved or not pursued using pre-complaint processes.

43

Complaint files formalized in 2014 / 2015.

140

Increase in the number of new files opened in 2014 / 2015.

13.6%

Percentage of all matters resolved within 12 months.

85%

Matters referred to the Court resolved by Directed Mediation since 2012.

32

Calls to designated intake consultant from businesses & employers.

249

Equity Partnerships

The Saskatchewan Human Rights Commission has a long history of working with employers and school divisions who are actively seeking ways to reduce discrimination and promote diversity among their employees. Under section 47 of *The Saskatchewan Human Rights Code*, the Commission can approve voluntary programs intended to eliminate barriers and to create greater opportunities for equity groups such as Aboriginal people, visible minorities, people with disabilities, and women, particularly in under-represented positions.

EMPLOYERS

City of Prince Albert	City of Regina	City of Saskatoon
Community Health Services (Saskatoon) Association Ltd.	Crown Investments Corporation	Government of Saskatchewan
Information Services Corporation of Saskatchewan	Innovation Place (Saskatchewan Opportunities Corporation)	John Howard Society of Saskatchewan
Law Society of Saskatchewan	MicroAge Regina	Northlands College
Parkland Regional College	Prince Albert Co-operative Health Centre	Regina Police Service
Regina Public School Division	Regina Women's Community Centre	Saskatchewan Apprenticeship and Trade Certification Commission
Saskatchewan Crop Insurance Corporation	Saskatchewan Gaming Corporation	Saskatchewan Government Employees' Union
Saskatchewan Government Insurance	Saskatchewan Human Rights Commission	Saskatchewan Institute of Applied Science & Technology (SIAST)
Saskatchewan Legal Aid Commission	Saskatchewan Liquor and Gaming Authority	Saskatchewan Teachers' Federation
Saskatchewan Transportation Company	Saskatchewan Water Corporation	Saskatchewan Watershed Authority
Saskatchewan Workers' Compensation Board	Saskatchewan Writers' Guild	Saskatoon Police Service
SaskEnergy	SaskPower	SaskTel
United Way of Saskatoon	University of Regina	University of Saskatchewan

PRE-KINDERGARTEN TO GRADE 12 SCHOOL DIVISIONS

Creighton	Good Spirit	Greater Saskatoon Catholic Schools
Holy Trinity RCSSD	Horizon	Île-à-la-Crosse
The Light of Christ RCSSD	Living Sky	Lloydminster RCSSD
Northern Lights	Prairie Spirit	Prairie Valley
Prince Albert RCSSD	Regina RCSSD	Saskatchewan Rivers
Saskatoon Public	South East Cornerstone	

These partnership organizations, through their initiatives and practices, have become examples of the positive changes that can be achieved through a commitment to actively prevent, reduce, and eliminate disadvantages experienced by equity groups because of a prohibited ground of discrimination.

Each Equity Partnership organization is required to commit to establishing an equity program that will work towards rectifying any imbalances with the goal of attaining a workforce that is truly representative of the provincial demographics.

Table 1: Summary of Complaints Received April 1, 2014 to March 31, 2015 by Grounds[1] and Category

Total number of new complaints in 2014/2015 was: **419**

CATEGORY	Age	Aboriginal Ancestry	Other Ancestry [2]	Marital Status	Disability	Religion [3]	Sexual Harassment	Sex / Gender / Other	Sex / Pregnancy	Family Status	Sexual Orientation	Public Assistance	N/A / Drug Test	Retaliation	Total Grounds	Grounds Cited
Contracts	0	0	1	0	1	0	0	0	0	0	0	0	0	0	2	0.4%
Education	0	0	5	0	8	1	1	1	2	1	0	0	0	0	19	3.3%
Employment	20	9	67	7	141	11	31	12	34	19	6	5	11	0	373	65.7%
Housing	0	0	7	0	7	1	2	0	1	1	1	10	0	0	30	5.3%
Public Services	5	14	17	3	34	6	2	4	2	6	1	9	11	1	115	20.2%
Purchase of Property	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2	0.4%
N/A	1	0	1	1	1	2	2	0	1	2	1	1	6	0	19	3.3%
Other	0	0	1	1	4	2	0	0	0	0	0	0	0	0	8	1.4%
TOTAL GROUNDS	26	23	99	12	198	23	38	17	40	29	9	25	28	1	568	100%
% Grounds Cited	4.6%	4.0%	17.4%	2.1%	34.9%	4.0%	6.7%	3.0%	7.0%	5.1%	1.6%	4.4%	4.9%	0.2%		
% Total Complaints	6.2%	5.5%	23.6%	2.9%	47.3%	5.5%	9.1%	4.1%	9.5%	6.9%	2.1%	6.0%	6.7%	0.2%		

NOTES:

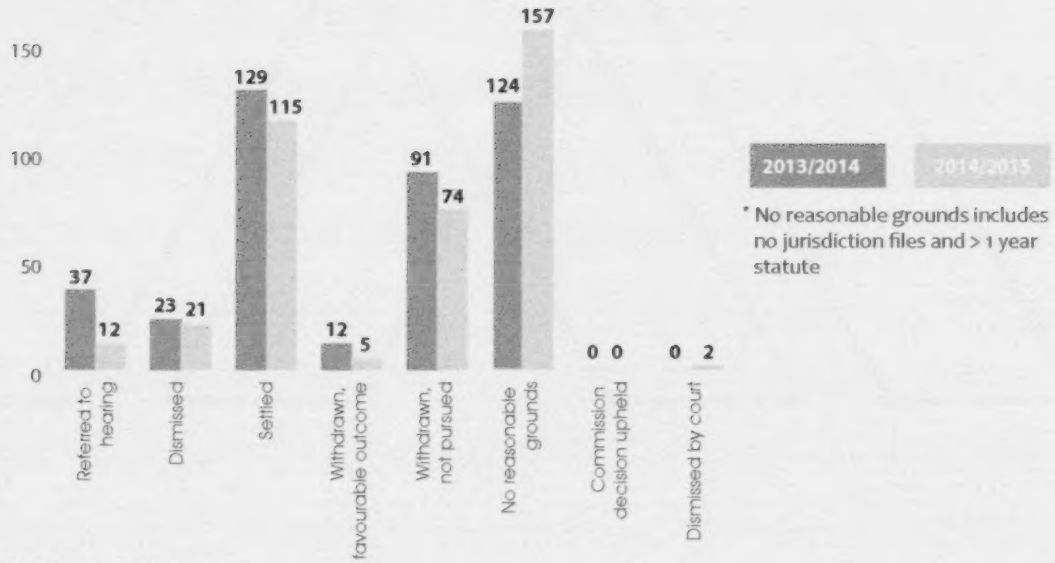
[1] Some complaints allege several kinds of discrimination. For this reason the total number of grounds cited (568) exceeds the total number of complaints filed.

[2] Other Ancestry includes colour, nationality, place of origin, race, and perceived race.

[3] Religion includes creed.

TABLE 2: Files Opened and Closed

TABLE 3: Disposition of Complaint Files



* No reasonable grounds includes no jurisdiction files and > 1 year statute

TABLE 4: Finances

In 2014-2015, the Commission had an approved budget of $2,151,000.

	2011-2012	2012-2013	2013-2014	2014-2015
Salaries, Benefits and Honouraria	$1,793,000	$1,857,000	$1,892,000	$1,963,000
Operating	$372,000[1]	$188,000	$188,000	$188,000
Total	$2,165,000	$2,045,000	$2,080,000	$2,151,000

[1] The 2011-12 budget included a sum of $120,000 designated exclusively for the citizenship education project.

New Appointments

The Commission welcomed the appointments of Colleen Cameron and Heather Kuttai as new Commissioners.

Colleen Cameron is an accomplished executive with policy-making, strategic planning, and communications experience in the telecommunications industry. She is also an active leader in the Aboriginal and health care communities in our province. Ms. Cameron is a member of the Beardy's Okemasis First Nation who currently resides in Saskatoon with her family.

Heather Kuttai is an author and writer with a focus on disability issues such as inclusion, service provision, and maternity. She has a background in disability policy development, leadership in management, and post-secondary education administration. Ms. Kuttai is a three-time Paralympic medal-winning athlete who resides with her family in Saskatoon.

Commission Staff

The 2014-2015 Commission staff include individuals working on full-time, part-time, casual and temporary bases.

Saskatoon
Laurie Adrian Rude – Investigator
Julian Bodnar – Mediator/Lawyer
Lewanna Dubray – Investigator
Bruce Gordon – Investigator
Norma Gunningham-Kapphahn – Executive Director
Dianne Jones – Legal Secretary
David Katzman – Mediator/Investigator
Shawna Kay – Reception Secretary
Ryan Kennedy – Secretary
Andrew Livingston – Investigator
Karen Materi – Commission Secretary
Robin Mowat – Intake Consultant
Scott Newell – Senior Staff Lawyer
Clint Pederson – Mediator
Jocelyn Putland Wiebe – Director of Resolution
Carol Riekman – Mediator
Brenda Robertson – Manager of Human Resources
Meghan Scherger – Staff Lawyer
Darrell Seib – Public Relations & Media Specialist
Ken Truong – Intake Consultant
Connie Windecker – Reception Secretary

Regina
Holly Bressler – Mediator
Bill Craik – Investigator
Julie Fendelet – Investigator/Facilitator
Robin McMillan* – Mediator
Heather Monus – Community Engagement Consultant
* On leave

Commissioners
David Arnot, Chief Commissioner
Mike Bacon**
Colleen Cameron
Paul Favel, Q.C.
Jan Gitlin
Heather Kuttai
Nasser Malik
Barry Wilcox, Q.C.
** Term Completed

Photographic images not otherwise captioned:

COVER: City of Regina's low floor bus fleet announcement, April 3, 2014.

1. Supreme Court of Canada, Chief Commissioner David Arnot, Grant Scharfstein, Q.C., and Deidre Aldcorn, October 13, 2011.
2. © iStockphoto.com/Pali Rao.
3. © iStockphoto.com/RyersonClark.
4. Trans* Awareness Week flag raising, Saskatoon, March 31, 2015.
5. © iStockphoto.com/aldegonde.
6. Media conference for mediation agreement signing, Evraz Place, Regina, February 25, 2015.
7. © iStockphoto.com/xefstock
8. City of Regina's low floor bus fleet announcement, April 3, 2014.
9. © iStockphoto.com/Nikada.
10. Commission Guest Speaker / Seminar Series with Dr. Izzeldin Abuelaish; author of *I Shall Not Hate: A Gaza Doctor's Journey*, Saskatoon, June 5, 2014.
11. With the Honourable Brad Wall, Premier of Saskatchewan, Saskatoon, June 9, 2014.
12. Raoul Wallenberg Event, Bethlehem Catholic High School, Saskatoon, February 24, 2015.
13. International Day for the Elimination of Racial Discrimination, University of Saskatchewan, Saskatoon, March 21, 2015.
14. Holocaust Memorial event with Mr. Robbie Waisman, Prince Albert, September 17, 2014.
15. International Day for the Elimination of Racial Discrimination, Chief Commissioner David Arnot speaking, University of Saskatchewan, Saskatoon, March 21, 2015.
16. © iStockphoto.com/Christopher Futcher.
17. © iStockphoto.com/Linda Jo Heilman.
18. Recognizing College of Law summer students, Saskatoon, September 9, 2014.